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December 13, 2006

The Honorable Donovan Dela Cruz, Chair, and Members
City Council
City and County of Honolulu
Honolulu Hale
Honolulu, Hawaii 96813

BY FACSIMILE: 527-5733

**RE: BILL No. 86 (2006) REGULATING FOR AN INTERIM PERIOD
DEVELOPMENT ON LOTS ALONG THE ALIGNMENT SELECTED BY
THE COUNCIL AS THE LOCALLY PREFERRED ALTERNATIVE (LPA)
FOR THE HONOLULU HIGH CAPACITY CORRIDOR PROJECT
(HHCTC) IN THE CITY AND COUNTY OF HONOLULU**

Dear Chair Dela Cruz and Council Members:

I am Dean Uchida, Executive Director of the Land Use Research Foundation of Hawaii (LURF), testifying on Bill No. 86. The purpose of this bill is to stop development along transit alignment selected as the LPA on Oahu unit permanent Transit Oriented Development (TOD) controls can be adopted.

As proposed the Council will effectively impose a *moratorium*, through the adoption of Interim Development Controls (IDC), on issuance of building and grading permits and other development permits within:

1. One-fourth (1/4) mile on either side of the alignment selected by the Council as the LPA; and,
2. One-half (1/2) mile of the location of any transit station, transit center, or proposed transit station or transit center, along the alignment selected by the Council as the LPA.

Upon approval of this IDC Ordinance, the ordinance will be in effect until the first to occur of:

1. Twelve months from the enactment of this ordinance; or
2. The enactment of a TOD zoning ordinance regulating land uses along the transit alignment and adjacent to transit stations or transit centers, and expressly specified by the Council as satisfying this contingency.

Misc. Com. No. 1808

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We understand and support the need, expressed by the Council, for orderly and comprehensive plan for development in and around the selected transit corridor. Increased density translates into increased transit rider-ship.

We strongly recommend that the Council consider other alternatives to achieving this outcome. Incentives, through increasing infrastructure capacity and up-zoning of properties in and along the transit corridor should be used to stimulate higher density developments, more compatible with the long-term vision for the city.

Furthermore, the build out of transit will be a long process, minimum 12 years (Alternative Analysis, page 2-19). During this time, we would expect that the City would be increasing the infrastructure capacity of sewerage, water, drainage and other utilities, in and around the LPA alignment. This is necessary in order to accommodate the higher density's that are needed to insure transit rider-ship.

Because infrastructure within the Primary Urban Center of Honolulu is at capacity, it effectively limits development opportunities in and around the LPA alignment today. The proposed IDC would prevent the properties identified in the LPA from realizing any short-term economic development opportunities while the transit system and infrastructure capacity is being constructed.

Rather than imposing an IDC, we would recommend the council consider the following approach:

1. Once the LPA alignment is selected, develop a plan to fund and construct increased infrastructure capacity to service this area;
2. Allow property owners the ability to transition over time, from short-term uses to long-term uses that are consistent with TOD in and around transit corridors as infrastructure capacity and the transit system becomes available;
3. Up-zone properties within the LPA alignment to allow for more mixed-use and increased residential density; and,
4. Tax the properties (real property taxes) at the highest and best use based on the up-zoning to encourage transition to long-term, higher density uses.

Thank you for this opportunity to express our views.